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October 16, 2009

The Honorable Ramon E. Reyes, Jr.
United States Magistrate Judge
United States District Court for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Kawan Food Manufacturing SDN BHD v. Bengal Sea Foods USA Canada, Inc.
and Green-Lake Produce and Seafood Corp., 06-CV-5430 (ERK); 09-2024cv

Dear Judge Reyes:

On behalf of our client, Plaintiff Kawan Food Manufacturing SDN BHD, and with the full knowledge and consent of appellate counsel for Defendants Bengal Sea Foods USA Canada, Inc. and Green-Lake Produce and Seafood Corp., we are pleased to confirm that the remaining litigation in the above matter has been settled by the parties.

Pursuant to the settlement, the appeal is being withdrawn by Defendants. In fact, this is a formality, as by Order of the Court of Appeals for the Second Circuit, dated October 5, 2009 [document number 113 in the present action], the appeal was withdrawn, with leave to reactivate by written notice from the Defendants to the Second Circuit by October 15, 2009; no such written notice was filed by Defendants on or before that date. Therefore, since there is no appeal, and the matter has been settled, Defendants' request for bond pending appeal is moot.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Marsha G. Gentner'.

Marsha G. Gentner

Cc: Todd A. Higgins, Esq.
Mathew E. Hoffman, Esq.